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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,457	08/02/2001	Vinit Jain	AUS920010382US1	5591

7590 11/30/2004

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EXAMINER

COURTENAY III, ST JOHN

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/920,457

Applicant(s)

JAIN ET AL.

Examiner

St. John Courtenay III

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected..
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


ST. JOHN COURTENAY III
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Detailed Action

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1- 5, 11, 13-17, 23-27 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Gase** (U.S. Patent 6,363,081).

As per independent claims 1, 13, 23:

Gase teaches a method of port sharing among a plurality of processes, comprising:

- receiving first data through a shared port destined for a first process [see binding of "primary application" to port, col. 1, line 60] of the plurality of processes [e.g., see "port sharing protocol" and associated discussion col. 1, lines 53-63] ;
- mapping the first data to a first port, different from the shared port, associated with the first process [see registration port, associated discussion, col. 1, line 66]; and
- forwarding the first data to the first port [i.e., "registration port" col. 2, line 6], wherein the first process monitors the first port for data [e.g., see col. 2, lines 3-7; see also use of multiple primary applications that monitor multiple ports, discussion col. 2, lines 25-30].

As per dependent claims 2, 14, 24:

The Examiner notes that claim 2 is similar to claim 1, except that "a second process" and "second data" is claimed instead of "a first process" and "first data." Gase teaches the use of a plurality of processes and a plurality of data [see e.g., the use of multiple primary applications that monitor multiple ports, discussion col. 2, lines 25-30].

As per dependent claims 3, 15, 25:

Gase teaches that mapping the first data to the first port includes reading a header of the data to identify a port and address of the first process, wherein the port is the shared port and the address identifies a domain of the first process [see IP address, primary application, and header discussion col. 6, lines 35-46].

As per dependent claims 4, 16, 26:

Gase teaches looking up the port and address of the first process in a mapping table and identifying the first port based on the looking up of the port and address of the first process in the mapping table [e.g., see referencing the distribution list, steps 92, 94, 96 fig. 4 and associated discussion col. 5, beginning line 52].

As per dependent claims 5, 17, 27:

Gase teaches forwarding the first data to the first port includes repackaging the data to include a new header identifying the first port and the address of the first process [see IP address, primary application, and header discussion col. 6, lines 35-46].

As per dependent claim 11:

Gase teaches the use of an operating system, as claimed [e.g., see col. 2, line 60].

Claims 6 – 10, 12, 18-22, 28-32 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Sugihara** (U.S. Patent 6,385,197).

As per independent claims 6, 18, 28:

Sugihara teaches a method of port sharing among a plurality of processes, comprising:

- receiving first data from a first process of the plurality of processes, the first data identifying a first port associated with the first process [e.g., see use of physical ports and associated discussion col. 6, beginning line 48] ;
- mapping the first data from the first port to a shared port, the shared port being different from the first port [e.g., see assignment of physical port to one virtual port and associated discussion col. 6, beginning line 63]; and
- transmitting the first data to a receiving device using the shared port [e.g., see "network manager" that interfaces with the virtual port arrangement, discussion beginning col. 7, lines 6-10].

As per dependent claims 7, 19, 29:

The Examiner notes that claim 2 is similar to claim 1, except that "a second process" and "second data" is claimed instead of "a first process" and "first data." **Sugihara** teaches the use of a plurality of processes (i.e., applications associated with ports) and a plurality of data [see e.g., the use of 26 physical ports and an additional 4 virtual ports, col. 6, lines 58-61].

As per dependent claims 8, 20, 30:

Sugihara teaches mapping the first data from the first port to the shared port includes reading a header of the data to identify a port and address of the first process, wherein the port is the first port and the address identifies a domain of the first process [e.g., **Sugihara** teaches the use of SNMP (Simple Network Management Protocol) manager 310 which processes SNMP messages that include headers, as claimed; see also "port mapping table 400, fig. 4" and associated discussion col. 6, beginning line 35].

As per dependent claims 9, 21, 31:

Sugihara teaches looking up the port and address of the first process in a mapping table and identifying the shared port based on the looking up of the port and address of the first process in the mapping table [e.g., see "port mapping table 400, fig. 4" and associated discussion col. 6, beginning line 35].

As per dependent claims 10, 22, 32:

Sugihara teaches transmitting the first data to the receiving device includes repackaging the data to include a new header identifying the shared port and the address of the first process [e.g., **Sugihara** teaches the use of SNMP (Simple Network Management Protocol) manager 310 which processes SNMP messages that include headers, as claimed; see also "port mapping table 400, fig. 4" and associated discussion col. 6, beginning line 35].

As per dependent claim 12:

Sugihara teaches the use of an operating system, as claimed [see col. 1, lines 45-50].

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Prior Art not relied upon:

Please refer to the references listed on the attached PTO-892 which are not relied upon in the claim rejections detailed above.

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How to Contact the Examiner:

Any inquiry concerning this communication or earlier communications from the examiner should be directed to St. John Courtenay III, whose telephone number is 571-272-3761. A voice mail service is also available at this number. The Examiner can normally be reached on Monday - Friday, 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, An Meng-AI who can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

All responses sent by U.S. Mail should be mailed to:

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Patent Customers advised to FAX communications to the USPTO

<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/faxnotice.pdf>

Effective Oct. 15, 2003, ALL patent application correspondence transmitted by FAX must be directed to the new PTO central FAX number:

NEW PTO CENTRAL FAX NUMBER:

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703-872-9306

- Any inquiry of a general nature or relating to the status of this application should be directed to the **TC 2100 Group receptionist: (703) 305-3900.**

Please direct inquiries regarding fees, paper matching, and other issues not involving the Examiner to:

Technical Center 2100 CUSTOMER SERVICE: 703 306-5631

The Manual of Patent Examining Procedure (MPEP) is available online at:
<http://www.uspto.gov/web/offices/pac/mpep/index.html>



**ST. JOHN COURTENAY III
PRIMARY EXAMINER**